

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

D.S. and M.S., parents, on behalf of Student J.S., )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SANTA CRUZ CITY SCHOOL DISTRICT, )  
SANTA CRUZ COUNTY OFFICE OF )  
EDUCATION, AND SANTA CRUZ COUNTY )  
CHILDRENS' MENTAL HEALTH SERVICES, )  
 )  
Defendants. )

Case No.: 12-CV-00850-LHK

ORDER REGARDING FILING OF  
NOTICE OF SETTLEMENT; ORDER  
CONTINUING HEARING ON MOTION  
FOR LEAVE TO AMEND, APPEAL OF  
ADMINISTRATIVE DECISION, AND  
REQUEST FOR ATTORNEY'S FEES

On June 20, 2013, a hearing was held on Plaintiffs': (1) Motion for Leave to Amend, ECF No. 28, and (2) Appeal challenging the Administrative Law Judge's decision and request for attorney's fees, ECF No. 34. During the hearing, the Court issued its tentative rulings and requested that the parties meet and confer to discuss whether it was possible to settle the case.

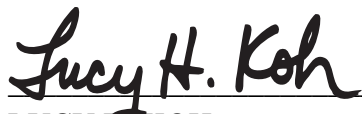
After meeting and conferring, the parties informed the Court that the parties have reached a tentative settlement. Plaintiffs stipulated with Defendant Children's Mental Health Services ("CMH") that the Appeal would be denied as to CMH and that CMH should be dismissed from the case. Finally, the parties agreed that J.S. should be added as a party in this case.

Accordingly, the Court ORDERS that:

- (1) J.S. is added as a Plaintiff in this case;
- (2) Plaintiffs' Appeal is DENIED as to CMH. Plaintiffs and CMH shall file a stipulation dismissing CMH as a Defendant by June 24, 2013;
- (3) By June 28, 2013, Plaintiffs and Defendants Santa Cruz County Office of Education ("COE") and Santa Cruz City School District ("District") shall file a notice stating that they have finalized and executed their settlement agreement subject to the condition that the settlement agreement shall not become effective as to the District until the School Board approves the agreement. Plaintiffs and COE shall additionally file a stipulation dismissing COE from the case;
- (4) By August 26, 2013, the Wednesday following the School Board's August 21, 2013 meeting, Plaintiffs and the District shall file a stipulation dismissing the District from the case; and
- (5) The hearing on Plaintiffs' pending Motion for Leave to Amend, Appeal, and Request for attorney's fees is CONTINUED to September 26, 2013, at 1:30 p.m.

**IT IS SO ORDERED.**

Dated: June 20, 2013



LUCY H. KOH  
United States District Judge